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MR. CALHOUN'S VIEWS.

FROM THE PENDLETON MESSENGER.

Mr. Seaman,

I must request you to permit me to use your columns, as a medium to make known my sentiments on the deeply important question, of the relation, which the States and General Government bear to each other, [illegible] which is at this time, a subject of so much [illegible]tion.

It is one of the peculiarities of the station I occupy, that while it necessarily [illegible] its incumbent, with the politics of the [illegible] affords him no opportunity officially to [illegible] his sentiments, except accidentally on an equal division of the body over which he presides. He is thus exposed, as I have often experienced, to have his opinions erroneously and variously represented. In ordinary cases, I conceive, the correct course to be to remain silent, leaving to time and circumstances, the correction of misrepresentations; but there are occasions so vitally important, that a regard both to duty and character would seem to forbid such a course; and such, I conceive, to be the present. The frequent allusions to my sentiments, will not permit me to doubt, that such also is the public conception, and that it claims the right to know, in relation to the question referred to, the opinions of those, who hold important official stations; while on my part, desiring to receive neither unmerited praise, nor blame, I feel, I trust, the solicitude, which every honest and independent man ought, that my sentiments should be truly known, whether they be such, as may be calculated to recommend them to public favor, or not. Entertaining these impressions, I have concluded, that it is my duty to make known my sentiments; and I have adopted the mode, which on reflection seemed to be the most simple, and best calculated to effect the object in view.

The question of the relation, which the States and General Government bear to each other, is not one of recent origin. From the commencement of our system, it has divided public sentiment. Even in the Convention, while the Constitution was struggling into existence, there were two parties, as to what this relation should be, whose different sentiments, constituted no small impediment in forming that instrument. After the General government went into operation, experience soon proved, that the question had not terminated with the labors of the convention. The great struggle, that preceded the political revolution of 1801, which brought Mr. Jefferson into power, turned essentially on it; and the doctrines and arguments on both sides were embodied and ably sustained; on the one, in the Virginia and Kentucky resolutions, and the report to the Virginia Legislature; and on the other, in the replies of the Legislature of Massachusetts and some of the other states. These resolutions and this report, with the decision of the Supreme Court of Pennsylvania about the same time, (particularly in the case of Cobbett, delivered by Chief Justice M'Kean and concurred in by the whole bench,) contain, what I believe to be, the true doctrine on this important subject. I refer to them, in order to avoid the necessity of presenting my views, with the reason in support of them, in detail.

As my object is simply to state my opinions, I might pause with this reference to documents, that so fully and ably state all of the points immediately connected with this deeply important subject, but as there are many, who may not have the opportunity, or leisure to refer to them, and, as it is possible, however clear they may be, that different persons may place different interpretations on their meaning, I will, in order that my sentiments may be fully known, and to avoid all ambiguity, proceed to state summarily the doctrines, which I conceive they embrace.

Their great and leading principle is, that the General Government emanated from the people of the several states, forming distinct political communities, and acting in their separate and sovereign capacity, and not from all of the people forming one aggregate political community,; that the Constitution of the United States is in fact a compact, to which each State is a party, in the character already described; and that the several States or parties, have a right to judge of its infractions, and in cases of a deliberate, palpable, and dangerous exercise of a power not delegated, they have the right in the last resort, to use the language of the Virginia resolutions, "to interpose for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them." This right of interposition, thus solemnly asserted by the State of Virginia, be it called what it may, state right, veto, nullification, or by any other name, I conceive to be the fundamental principle of our system, resting on facts historically as certain as our Revolution itself, and deductions, as simple and demonstrative, as that of any political, or moral truth whatever; and I firmly believe that on its recognition depends, the stability and safety of our political institutions. I am not ignorant, that those opposed to the doctrine have always, now and formerly, regarded it in a very different light, as anarchical and revolutionary. Could I believe such in fact [illegible] its tendency, to me it would be no recommendation. I yield to none, I trust, in a deep and sincere attachment to our political institutions, and the union of these States. I never breathed an opposite sentiment; but on the contrary, I have ever considered them the great instruments of preserving our liberty, and promotiug the happiness of ourselves and our posterity; and next to these, I have ever held them most dear. Nearly half my life has passed in the service of the Union, and whatever public reputation I have acquired, is indissolubly identified with it. To be too national has, indeed, been considered by many, even of my friends, to be my greatest political fault. With these strong feelings of attachment, I have examined with the utmost care, the bearing of the doctrine in question; and so far from anarchical, or revolutionary, I solemnly believe it to be, the only solid foundation of our system, and of the Union itself, and that the opposite doctrine, which denies to the States the right of protecting their reserved powers, and which would vest in the General Government, (it matters not through what Department,) the right of determining exclusively and finally the powers delegated to it, is incompatible with the sovereignty of the States, and of the Constitution itself, considered as the basis of a federal Union. As strong as this language is, it is not stronger, than that used by the illustrious Jefferson, who said, to give to the General Government the final and exclusive right to judge of its powers, is to make "its discretion and not the Constitution the measure of its powers;" and that "in all cases of compact between parties having no common Judge, each party has an equal right to judge for itself, as well of the operation, as of the mode and measure of redress." Language cannot be more explicit; nor can higher authority be adduced. [illegible] different opinions are entertained on this subject, I consider, but as an additional evidence of the great diversity of the human intellect. Had not able, experienced and patriotic individuals, for whom I have the highest respect, taken different views, I would have thought the right too [illegible] mit of doubt; but I am taught by this, and by many similar instances, to treat [illegible] differing from my own. [illegible] ly be with me; but, if so, I can [illegible] the most mature and [illegible] I have not been able to detect [illegible] all proper deference, I must think, [illegible] is the error, who deny, what seems to be [illegible] sential attribute of the conceded sovereignty of the states; and who attribute to the General Government a right utterly incompatible with what all acknowledge to be its limited and restricted character, an error originating principally, as I must think, in not duly reflecting on the nature of our institutions, and on what constitutes the only rational object of all political constitutions.

It has been well said by one of the most sagacious men of antiquity, that the object of a constitution is to *restrain the government, as that of laws* is to restrain *individuals*. The remark is correct, nor is it less true, where the Government is vested in a majority, than where it is in a single or a few individuals; in a republic, than a monarchy or aristocracy. No one can have a higher respect for the maxim, that the majority ought to govern, than I have, taken in its proper sense, subject to the restrictions imposed by the Constitution and confined to subjects, in which every portion of the community have similar interests; but it is a great error to suppose, as many do, that the right of a majority to govern is a natural and not a conventional right; and, therefore, absolute and unlimited. By nature every individual has the right to govern himself; and Governments, whether founded on majorities, or minorities, must derive their right from the assent, expressed or implied, of the governed, and be subject to such limitations, as they may impose. Where the interests are the same, that is where the laws that may benefit one, will benefit all, or the reverse, it is just and proper to place them under the control of the majority; but where they are dissimillar, so that the law, that may benefit one portion, may be ruinous to another, it would be on the contrary unjust and absurd to subject them to its will; and such, I conceive to be the theory on which our Constitution rests.

That such dissimilarity of interests may exist, it is impossible to doubt. They are to be found in every community, in a greater, or less degree, however small, or homogeneous; and they constitute, every where, the great difficulty of forming, and preserving free institutions. To guard against the unecual action of the laws, when applied to dissimilar and opposing interests, is, in fact, what mainly renders a constitution indispensable; to overlook which, in reasoning on our Constitution, would be to omit the principal element, by which to determine its character. Were there no contrariety of interests, nothing would be more simple and easy than to form and preserve free institutions. The right of suffrage alone would be a sufficient guaranty. It is the conflict of opposing interests which renders it the most difficult work of man.

Where the diversity of interests exists in separate and distinct classes of the community, as is the case in England, and was formerly the case in Sparta, Rome and most of the free states of antiquity, the rational constitutional provision is, that each should be represented in the Government as a separate estate, with a distinct voice, and a negative on the acts of its co-estates, in order to check their encroachments. In England, the constitution has assumed expressly this form; while in the governments of Sparta and Rome the same thing was effected under different but not much less efficacious forms. The perfection of their organization, in this particular, was that, which gave to the constitutions of these renowned states all of their celebrity, which secured their liberty for so many centuries, and raised them to so great a height of power and prosperity. Indeed, a constitutional provision giving to the great and separate interests of the community the right of self protection, must appear to those who will duly reflect on the subject, not less essential to the preservation of liberty, than the right of suffrage itself. They in fact have a common object, to effect which, the one is as necessary, as the other; to secure *responsibility*, that is, *that those who make and execute the laws should be accountable to those, on whom the laws in reality operate; the only solid and durable foundation of liberty.* If without the right of suffrage, our rulers would oppress us, so, without the right of self protection, the major would equally oppress the minor interests of the community. The abscence of the former would make the governed the slaves of the rulers, and of the latter the feebler interests the victim of the stronger.

Happily for us, we have no artificial and separate classes of society. We have wisely exploded all such distinctions; but we are not, on that account, exempt from all contrariety of interests, as the present distracted and dangerous condition of our country unfortunately, but too clearly proves. With us they are almost exclusively geographical; resulting mainly from difference of climate, soil, situation, industry and production, but are not, therefore less necessary to be protected by an adequate constitutional provision, than where they consist in other interests called in separate classes. The geographical truth, greater, as such separate and dissimilar geographical interests, are more liable to come into conflict, and more dangerous when in that state, than those of any other description; so much so, that *ours is the first instance on record, where they have not formed in an extensive territory, separate and independent communities, or subjected the whole to despotic sway.* That such may not be our unhappy fate also, must be the sincere prayer of every lover of his country.

So numerous and diversified are the interests of this country, that they could not be fairly represented in a single government, organized so as to give to each great and leading interest a separate and distinct voice, as in the governments, to which I have referred. A plan was adopted better suited to our situation, but perfectly novel in its character. The powers of the government were divided, not as heretofore, in reference to classes, but geographically. One General Government was formed for the whole, to which was delegated all of the powers deemed to be necessary to regulate the common to all of the States, leaving the separate control of the [illegible] their local and peculiar character, that they could not be subject to the will of the majority of the whole Union, without the certain hazard of injustice and oppression. It was thus, that the interests of the whole were subjected, as they ought to be, to the whole, while the peculiar and local were left under the control of the States, to whose custody only, they could be confided. This distribution of power, solemnly by a constitutional compact which all of the States are parties, constitutes the peculiar character and excellence of our political system. It is truly and emphatically, *American, without example, or parallel.*

To realize its perfection, we must view the General Government and the States as a whole, each in its proper sphere sovereign and independent, each perfectly adapted to their respective objects; the States acting separately, representing and protecting the local and peculiar interests; acting jointly, through one General Government, with the weight respectively assigned to each by the Constitution, representing and protecting the interest of the whole; and thus perfecting by an admirable, but simple arrangement of the great principle of representation and responsibility, without which no government can be free, or just. To preserve this sacred distribution, as originally settled, by coercing each to move in its prescribed orb, is the great and difficult problem, on the solution of which, the duration of our Constitution, of our Union, and, in all probability, our liberty depends. How is this to be effected?

The question is new, when applied to our peculiar political organization, where the separate and conflicting interests of society are represented by distinct, but connected Governments; but is in reality an old question under a new form, long since perfectly solved. Whenever separate and dissimilar interests have been separately represented in any Government; whenever the sovereign power has been divided in its exercise, the experience and wisdom of ages have devised but one mode, by which such political organization can be preserved; the mode adopted in England, and by all Governments ancient and modern, blessed with Constitutions deserving to be called free; to give to each co-estate the right to judge of its powers, with a negative, or veto on the acts of the others, in order to protect against encroachments, the interests it particularly represents; a principle which all of our Constitutions recognise in the distribution of power among their respective Departments, as essential to maintain the independence of each, but which to all, who will duly reflect on the subject, must appear, far more essential, for the same object, in that great and fundamental distribution of powers between the States and General Government. So essential is the principle that to withheld the right from either, where the sovereign power is divided, is in fact *to annul the division* itself, to *consolidate* in the one, left in the exclusive possession of the right, *all* of the powers of the government; for it is not possible to distinguish, practically, between a government having all power, and one having the right to take what powers it pleases. Nor does it in the least vary the principle, whether the distribution of power be between co-estates, as in England, or between distinctly organized, but connected governments, as with us. The reason is the same in both cases, while the necessity is greater in our case, as the danger of conflict is greater, where the interests of a society are divided geographically, than in any other, as has already been shewn.

These truths do seem to me to be incontrovertible; and I am at a loss to understand how any one, who has maturely reflected on the nature of our institutions, or who has read history, or studied the principles of free governments to any purpose, can call them in question. The explanation must, it appears to me, be sought in the fact, that in every free state, there are those, who look more to the necessity of maintaining power, than guarding against its abuses. I do not intend reproach, but simply to state a fact apparently necessary to explain the contrariety of opinions, among the intelligent, where the abstract consideration of the subject, would seem scarcely to admit of doubt. If such be the true cause, I must think the fear of weakening the government too much in this case to be in a great measure unfounded, or, at least that the danger is much less from that, than the opposite side. I do not deny that a power, of so high a nature, may be abused by a State; but, when I reflect, that the States unanimously called the general government into existence with all of its powers, which they freely surrendered on their part, under the conviction that their common peace, safety and prosperity required it; that they are bound together by a common origin, and the recollection of common suffering and a common triumph in the great and splendid achievment of their independence; and that the strongest feelings of our nature, and among them, the love of national power and distinction, are on the side of the Union; it does seem to me, that the fear, which would strip the States of their sovereignty, and degrade them to [illegible] to mere dependent corporations, [illegible] should almost right indispensable to the possible protection of these interests, which they reserved under their own peculiar guardianship, when they created the General Government, is unnatural and unreasonable. If those who voluntarily created the system, cannot be trusted to preserve it, what power can?

So far from danger, I hold, that there never was a case, in which this great conservative principle, indispensable in all, was ever so safely lodged. In others, when the co-estates, representing the dissimilar and conflicting interests of the community came into contact, the only alternative was compromise, submission, or force. Not so in ours. Should the General Government, and a State come into conflict, we have a higher remedy; the power which called the General Government into existence which gave it all of its authority, and can enlarge, contract, or abolish its powers at its pleasure, may be invoked. The States themselves may be appealed to, three fourths of which, in fact, form a power, whose decrees are the Constitution itself, and whose voice can silence all discontent. The utmost extent then of the power is, that a State acting in its sovereign capacity, as one of the parties to the Constitutional compact, may compel the Government, created by that compact, to submit a question touching its infraction, to the parties, who created it; to avoid the supposed dangers of which, it is purposed to resort to the novel, hazardous, and, I must add, fatal project of giving to the General Government the sole and final right of interpreting the Constitution, thereby reversing the whole system, making that instrument the creature of its will, instead of a rule of action imposed on it by its creation, and annihilating in fact the authority which imposed it, and from which the government itself derives its existence.

That such would be the result, were the right in question vested in the Legislative, or Executive branch of the Government is conceded by all. No one has been so hardy as to assert, that Congress, or the President ought to have the right, or to deny, that if vested finally and exclusively in either, the consequences, which I have stated would not necessarily follow; but its advocates have been reconciled to the doctrine, on the supposition, that there is one Department of the General Government, which, from its peculiar organization, affords an independent tribunal through which the Government may exercise the high authority, which is the subject of consideration, with perfect safety to all.

I yield, I trust to few, in my attachment to the Judiciary Department. I am fully sensible of its importance and would maintain it to the fullest extent in its Constitutional powers and independence; but it is impossible for me, to believe, that it was ever intended by the Constitution, that it should exercise the power in question, or that it is competent to do so, and, if it were that it would be a safe depository of the power.

Its powers are judicial and not political, and are expressly confined by the Constitution "to all cases in law and equity arising under this Constitution, the laws of the United States and the treaties made, or which shall be made, under its authority;" and which I have high authority in asserting, excludes political questions and comprehends those only, where there are parties amenable to the process of the Court.* Nor is its incompetency less clear, from its want of Constitutional authority. There may be many and the most dangerous infractions on the part of Congress, of which, it is conceded by all, the court, as a Judicial tribunal, cannot from its, nature take cognizance. The Tariff itself is a strong case in point; and the reason applies equally to all others, where Congress perverts a power, from an object intended, to one not intended, the most insidious and dangerous of all the infractions; and which may be extended to all of its powers, more especially to the taxing and appropriating.—But, supposing it competent to take cognizance of all infractions of every description, the insuperable objection still remains, that it would not be a safe tribunal to exercise the power in question.

It is an universal and fundamental political principle, that the power to protect, can safely be confided only to those interested in protecting, or their responsible agents, a maxim not less true in private than in public affairs.—The danger in our system is, that the General Government, which represents the interests of the whole, may encroach on the States, which represent the peculiar and local interests, or that the latter may encroach on the former. In examining this point, we ought not to forget, that the Government through all of its Departments, Judicial, as well as others, is administered by delegated and responsible agents; and that the power which really controls ultimately all the movements is not in the agents, but those who elect or appoint them.—To understand then its real character, and what would be the action of the system in any supposable case, we must raise our views from the mere agents, to this high controlling power which finally impels every movement of the machine. By doing so, we shall find all under the control of the will of a majority, compounded of the majority of the States, taken as corporate bodies, and the majority of the people of the States estimated in federal numbers. These united constitute the real and final power, which impels and directs the movements of the General Government. The majority of the States elect the majority of the Senate; of the people of the States, that of the House of Representatives; the two united, the President; and the President and a majority of the Senate appoint the Judges; a majority of which, and a majority of the Senate and the House with the President, really exercise all of the powers of the Government, with the exception of the cases where the constitution requires a greater number than a majority. The Judges are, in fact, as truly the Judicial Representatives of this unlimited majority, as the majority of Congress itself, or the President, as its legislative, or executive representative; and to confide the power to the Judiciary to determine finally and conclusively, when powers are delegated, and what reserved, would be in reality to confide it to the majority, whose agents they are, and by whom they can be controlled in various ways, and, if course, to subject, (against the fundamental principle of our system, and all rational political reasoning,) the reserved powers of the States, with all of the local and peculiar interests, they were intended to protect, to the will of the very majority, against which, the protection was intended. Nor will the tenure by which the Judges hold their office, however valuable the provision in many other respects, materially vary the case. The highest possible effect would be to retard and finally to resist, the will of a dominant majority.

But it is useless to multiply arguments. Were it possible that reason could settle a question, where passions and interests of men are concerned, this point would have long since been settled for ever, by the State of Virginia. The report of her Legislature, to which I have already referred, has really, in my opinion, placed it beyond controversy. Speaking in reference to this subject, [illegible] it has been objected" (to the right of a State to interpose for the protection of her reserved rights) "that the Judicial authority is to be regarded, as the sole expositor of the Constitution; on this objection it might be observed, first, that there may be instances of usurped powers, which the forms of the Constitution could never draw within the control of the Judicial Department; secondly, that if the decision of the Judiciary be raised above the sovereign parties to the constitution, the decisions of the other departments, not carried by the forms of the Constitution before the Judiciary, must be equally authoritative and final with the decision of that Department. But the proper answer to the objection is, that the resolution of the General Assembly relates to those great and extraordinary cases, in which all of the forms of the constitution may prove ineffectual against infractions dangerous to the essential rights of the parties to it. The resolution supposes, that dangerous powers not delegated, may not only be usurped and executed by the other departments, but that the Judicial Department may also exercise or sanction dangerous powers beyond the grant of the Constitution, and consequently that the ultimate right of the parties to the Constitution to judge, whether the Compact has been dangerously violated, must extend to violations by one delegated authority, as well as by another—by the Judiciary, as well as by the Executive or Legislative."

Against these conclusive arguments, as they seem to me, it is objected, that if one party has the right to judge of infractions of the constitution, so has the other, and that consequently in cases of contested powers between a State and the General Government, each would have a right to maintain its opinion, as is the case when sovereign powers differ in the construction of treaties or compacts, and that of course, it would come to be a mere question of force. The error is in the assumption, that the General Government is a party to the Constitutional Compact. The States, as has been shewn, formed the compact, acting as sovereign and independent Communities. The General Government is but its creature; and though in reality a government with all the rights and authority which belong to any other government, within the orb of its powers, it is, nevertheless, a government emanating from a compact between sovereigns, and partaking in its nature and object, of the character of a joint commission, appointed to superintend and administer the interests in which all are jointly concerned, but having, beyond it's proper sphere, no more power, than if it did not exist. To deny this would be to deny the most incontestible facts, & the clearest conclusions; while to acknowledge its truth is to destroy utterly the objection, that the appeal would be to force, in the case supposed. For if each party has a right to judge, then under our system of government, the final cognizance of a question of contested power would be in the states, and not in the general government. It would be the duty of the latter, as in all similar cases of a contest between one of its principals and a joint commission, or agency, to refer the contest to the principals themselves. Such are the plain dictates of reason and analogy both. On no sound principle can the agents have a right to final cognizance, as against the principals, much less to use force against them, to maintain their construction of their powers. Such a right would be monstrous; and has never, heretofore, been claimed in similar cases.

That the doctrine is applicable to the case of a contested power between the States, and the General Government, we have the authority not only of reason and analogy, but of the distinguished statesmen already referred to. Mr. Jefferson, at a late period of his life, after long experience and mature reflection, says, "With respect to our State and federal governments, I do not think their relations are correctly understood by foreigners. They suppose the former subordinate to the latter. This is not the case. They are co-ordinate departments of one simple and integral whole. But some may ask if the two departments should claim each the same subject of power, where is the umpire to decide between them? In cases of little urgency or importance, the prudence of both parties will keep them aloof from the questionable ground; but if it can neither be avoided nor compromised, a convention of the States must be called, to ascribe the doubtful power to that department which they may think best. And thus that our Constitution by conventional amendments, and by prescribing the occasions and mode of making them, has by a simple contrivance, with its characteristic wisdom, provided a power which in the last resort, supersedes effectually the necessity, and even the pretext for force; a power to which none can [illegible] with which the interests of all are [illegible] which can definitely close all controversies [illegible] ly effectual mode, by freeing the [illegible] every defect and uncertainty, by an [illegible] part of the instrument itself. It is impossible for human wisdom, in a system like ours, to devise another mode which shall be safe and effectual, and at the same time consistent with what are the relations and acknowledged powers of the two great departments of our government. It gives a beauty and security peculiar to our system, which if duly appreciated, will transmit its

[Refer to the 4th page.]

*I refer to the authority of Chief Justice Marshall in the case of Johathan Robbins. I have not been able to refer to the speech and speak from memory.

The tendency of the tax, or duty, on the imported article is, not only to raise its price, but also, in the same proportion, that of the domestic article of the same kind, for which purpose, when intended for protection, it is in fact laid; and of course, in determining where the system ultimately places the burden in reality, this effect also, must be taken into the estimate. If one of the sections exclusively produces such domestic articles, and the other purchases them from it, then it is clear that to the amount of such increased prices, the tax or duty on the consumption of the foreign articles, would be transfered from the section producing the domestic articles to the one that purchased and consumed them, unless the latter in turn, be indemnified by the increased price of the objects of its industry, which none will venture to assert to be the case with the great staples of the country, which form the basis of our exports, the price of which is regulated by the foreign and not the domestic market. To those who grow them, the increased price of the foreign and domestic articles both, in consequence of the duty on the former, is in reality, and in the strictest sense, a tax; while it is clear that the increased price of the latter acts as a bounty to the section producing them, and that as the amount of such increased prices, on what it sells to the other section, is greater or less, than the duty it pays on the imported articles, the system will in fact operate as a bounty or tax; if greater the difference would be a bounty; if less a tax.

Again, the operation may be equal in every other respect, and yet the pressure of the system, relatively, on the two sections, be rendered very unequal by the appropriations, or distribution. If each section receives back less, and the other proportionally more than it paid, then the difference in relation to the sections will be to the former a loss, and to the latter a gain; and the system in this aspect would operate to the amount of the difference, as a contribution from the one receiving less than it paid, to the other that receives more. Such would be incontestibly its general effects, taken in all its different aspects, even on the theory supposed to be most favourable to prove the equal action of the system, that the consumer pays in the first instance the whole amount of the tax.

To shew how, on this supposition, the burden and advantages of the system would actually distribute themselves between the sections, would carry me too far into details; but I feel assured, after a full and careful examination, that they are such as to explain, what otherwise would seem inexplicable, that one section should consider its repeal a calamity and the other a blessing; and that such opposite views should be taken by them, as to place them in a state of determined conflict, in relation to the great fiscal and commercial interests of the country. Indeed were there no satisfactory explanation, the opposite views that prevail, in the two sections, as to the effects of the system, ought to satisfy all of its unequal action. There can be no safer, or more certain rule, than to suppose each portion of the country equally capable of understanding their respective interests; and that each is a much better judge of the effects of any system of measures or its peculiar interest, than the other can possibly be.

But whether the opinion, of its unequal action, be correct, or erroneous, nothing can be more certain than that the impression is widely existing itself, that the system, under all its modifications, is essentially unequal; and if to that be added, a conviction still deeper, and more universal, that every duty imposed *for the purpose of protection is not only unequal, but also unconstitutional*, it would be a fatal error to suppose, that any remedy, short of that which I have stated, can heal our political disorders.

In order to understand, more fully, the difficulty of adjusting this unhappy controversy on any other ground, it may not be improper to present a general view of the constitutional objection, that it may be clearly seen, how hopeless it is to expect that it can be yielded, by those who have embraced it.

They believe that all the powers, vested by the Constitution in Congress, are not only restricted by the limitations expressly imposed, but also by the nature and object of the powers themselves. Thus though the power to impose duties on imports be granted in general terms, without other express limitations, but that they shall be equal and no preference shall be given to the ports of one State over those of another, yet as being a portion of the taxing power, given with the view of raising revenue, it is from its nature restricted to that object, as much as is if the Constitution had expressly so limited it; and that to use it to effect any other purpose, not specified in the Constitution, is an infraction of the instrument, in its most dangerous form; for infraction by perversion, more easily made, and more difficult to resist, than any other. The same view is believed to be applicable to the power of regulating commerce, as well as all the other powers. To surrender this important principle, it is conceived, would be to surrender all power, and to render the government unlimited and despotic; and to yield it up, in relation to the particular power in question, would be in fact to surrender the control of the whole industry and capital of the country to the General Government; and would end in placing the weaker section, in a colonial relation with the stronger. For nothing are more dissimilar in their nature, or may be more unequally affected by the same laws, than different descriptions of labour and property; and if taxes, by increasing the amount and changing the intent only, may be perverted, in fact, into a system of penalties and rewards, it would give all the power that could be desired, to subject the labour and property of the minority to the will of the majority to be regulated without regarding the interest of the former, in subserviency to the will of the latter. Thus thinking, it would seem unreasonable to expect, that any adjustment, based on the recognition of the correctness of a construction of the Constitution, which would admit the exercise of such a power, would satisfy the weaker of the two sections, particularly with its peculiar industry and property, which experience has shewn may be so injuriously effected by its exercise. Thus much for one side.

The just claims of the other ought to be equally respected. Whatever excitement, the system has justly caused, in certain sections of our country. I hope, and believe, all will conceive that the change, should be made with the least possible detriment to the interests of those, who may be liable to be affected by it, consistently with what is justly due to others and the principles of the Constitution. To effect this, will require the kindest spirit of conciliation, and the utmost skill; but, even with these, it will be impossible to make the transition, without a shock greater or less; though I trust, if judiciously effected, it will not be without many compensating advantages. That there will be some such, cannot be doubted. It will, at least, be followed by greater stability, and will tend to harmonize the manufacturing with all of the other great interests of the country, and bind the whole in mutual affection. But these are not all. Another advantage, of essential importance to the ultimate prosperity of our manufacturing industry. *It will cheapen production*; and, in that view, the loss of any one branch, will be nothing like in proportion to the reduction of duty on that particular branch. Every reduction will, in fact, operate as a bounty to every other branch, except the one reduced, and thus the effect of a general reduction will be to cheapen, universally, the price of production, by cheapening living, wages and materials; so as to give, if not equal profits after the reduction, profits by no means reduced proportionally to the duties; an effect, which, as it regards the foreign market, is of the utmost importance. It must be apparent on reflection, that the means adopted to secure the home market, for our manufactures are precisely the opposite of those necessary to obtain the foreign. In the former, the increased expense of production in consequence of a system of protection may be more than compensated by the increased price at home of the article protected; but, in the latter, this advantage is lost, and as there is no other corresponding compensation, the increased cost of production must be a dead loss in the foreign market. But whether these advantages and many others, that might be mentioned, will ultimately compensate to the full extent, or not, the loss to the manufacturer on the reduction of the duties, certain it is, that a great change cannot be much longer delayed; and that the more promptly it may be met, the less excitement there will be, and the greater facility and calmness for a cautious and successful operation in making the transition; and which it becomes those more immediately interested duly to consider, who ought duly to overlook, in considering the question, the different character of the claims of the two sides. The one asks from the Government no advantage, but simply to be let alone in the undisturbed possession of their natural advantages, and to secure which, as far as was consistent with the other objects of the Constitution, was one of their leading motives in entering into the Union; while the other side claims, for the advancement of their prosperity the positive interference of the Government. In such cases, on every principle of fairness and justice, such interference ought to be restrained within limits strictly compatible with the natural advantages of the other. He who, looking to all of the causes in operation; the near approach of the final payment of the public debt, the growing disaffection and resistance to the system, in so large a section of the country, the deeper principles on which opposition to it is gradually turning, must be, indeed, infatuated not to see a great change is unavoidable; and that the attempt to elude it by much longer delay it, must finally but increase the shock, and disastrous consequences which may follow.

In forming the opinions, I have expressed, I have not been actuated by an unkind feeling towards our manufacturing interest. I now am, and ever have been decidedly friendly to them, though I cannot concur in all of the measures which have been adopted to advance them. I believe, considerations higher, than any question of mere pecuniary interest, forbids their use. But subordinate to these higher views of policy, I regard the advancement of mechanical and chemical improvements in the arts with feelings little short of enthusiasm; not only, as the prolific source of national and individual wealth, but, as the great means of enlarging the domain of man over the material world; and, thereby, of laying the solid foundation of a highly improved condition of society, morally and politically. I fear not, that we shall extend our power too far over the great agents of nature; but, on the contrary, I consider such enlargement of our power, as tending, more certainly and powerfully, to better the condition of our race, than any one of the many powerful causes, now operating to that result. With these impressions, I not only rejoice at the general progress of the arts in the world, but in their advancement in our own country; and, as far as protection can be incidentally afforded, in the fair and honest exercise of our constitutional powers, I think now, as I have always done, that sound policy connected with the security, independence and peace of the country, requires them to be protected, but, that we cannot go a single step beyond, without jeopardizing our peace, our harmony and our liberty; considerations of infinitely more importance to us than any measure of mere policy, can possibly be.

In thus placing my opinions before the public, I have not been actuated by the expectation of changing the public sentiment. Such a motive, on a question so long agitated, and so beset with feelings of prejudice and interest, would argue, on my part, an insufferable vanity, and a profound ignorance of the human heart. To avoid, as far as possible, the imputation of either, I have confined my statement on the many and important points, on which I have been compelled to touch, to a simple declaration of my opinion, without advancing any other reasons to sustain them, than what, appeared to me, to be indispensable to the full understanding of my views; and, if they should, on any point, be thought to be not clearly and explicity developed, it will, I trust, be attributed to my solicitude to avoid the imputations to which I have alluded; and not from any desire to disguise my sentiments; nor the want of arguments and illustrations to maintain positions, which so abound in both, that it would require a volume to do them any thing like justice. I can only hope, that truths, I feel assured, are essentially connected with all that we ought to hold most dear, may not be weakened in the public estimation by the imperfect manner, in which I have been, by the object in view, compelled to present them.

With every caution on my part, I dare not hope, in taking the step I have, to escape the imputation of improper motives; though I have without reserve, freely expressed my opinions, not regarding whether they might, or might not, be popular. I have no reason to believe, that they are such, as will conciliate public favour, but the opposite; which I greatly regret, as I have ever placed a high estimate on the good opinion of my fellow citizens. But be that as it may, I shall, at least, be sustained by feelings of conscious rectitude. I have formed my opinions after the most careful and deliberate examination, with all of the aids, which, my reason and experience could furnish; I have expressed them honestly and fearlessly, regardless of their effects personally; which however interesting to me individually, are of too little importance, to be taken into the estimate, where the liberty and happiness of our country are so vitally involved.

JOHN C. CALHOUN.

Fort Hill, July 26th, 1831.

FIAT JUSTITIA RUAT COELUM.

Salisbury:

AUGUST 22, 1831.

ERRATA.

☞ At the bottom of the first page of our paper of to-day after its, read "blessings to the remotest generations; but if"

MR. CALHOUN.

In our last we promised to give our readers Mr. Calhoun's views upon the relation which the States bear to the general government;—We now to the exclusion of almost every thing else fulfil that promise. The interest which has been felt upon the subject, the masterly production itself and the garbled statements which have been made upon the subject by the interested and selfish, all urged us to this course and we trust no one will regret it. We say to every man look, read, think. Let every man form his own opinion. Let no man listen to the interested and perverted statements of others. Let the piece be abstracted from passing events. Let it be considered by itself and we doubt not but the sentiments, contained in it, will be responded to by every friend of the constitution and democracy. It is useless for us to cite authorities in support of the doctrines contained in the publication;—This Mr. Calhoun has done himself;—this has been done by our correspondent "A democratic Republican," for whose piece we now ask an attentive perusal.

Like all great men who have aspired to distinction Mr. Calhoun has his enemies. It is the policy of those to misrepresent his opinions; they are a stumbling block in the way of many political aspirants,—those who during the last war were plotting the dismemberment of the Union;— who were building bonfires and rejoicing at every defeat of our gallant soldiers; they are the men who hate Mr. Calhoun; — he opposed their unholy attempts;—he crushed them; his gigantic mind carried through happily and gloriously our second struggle for political existence; he labored in the cabinet,— on the floor of Congress; Gen. JACKSON labored in the field. Their combined efforts saved the republic. Those very men who then had well nigh destroyed the only hope of the lover of freedom and who were only prevented from doing so by Mr. Calhoun, and his Co-laborers, in the great cause of political freedom, now charge Mr. Calhoun with nullification. Mr. Calhoun a nullifier? The charge is false. He is no nullifier,—he is no disunionist,—he is as pure a patriot as the world ever saw. Look to his long and well spent life—Look at his piece. Do you see any nullification there? Do you see any disunion and "grim-visaged war", No, you see a plain and unfarbled statement of the democratic Republican doctrine. You see that doctrine upon which Patrick Henry, Samuel Adams and other distinguished patriots acted, when they opposed the wording of the constitution "We the people" and wish'd in its stead." We "the states," and whose opposition only ceased upon the understanding that We "the people" meant the people of the states respectively, and not the people of the United States as a component whole. For this those men,—the very men who put the ball of the revolution in motion were called demagogues, and disorganisers, by the enemies of freedom and equality.

You see the doctrine upon which Mr. Jefferson and others acted, when they opposed the arbitrary forms of Government, which were attempted to be introduced into this Country by Alexander Hamilton. You see the doctrine upon which Mason, Madison, Jefferson, Nicholas, and others acted, when they opposed the arbitrary enactments of old John Adams and for which they were called emissaries of France, disorganisers and other hard names.

You see the doctrine which Mr. Calhoun contended for during the last war, and for which he received the blessings and thanks of every friend of his country, and the taunts and gibes of the enemies of free government.

You see the doctrine which brought General Jackson into power in 1828 and which has sustained his administration thus far.

You see the doctrine, in fine, upon the prevalence of which rests the permanency of our institutions, the perpetuation of the union and the freedom and independence of the whole human race. May the mists which the interested time server,—the cur of party, the dastard and coward have thrown around them be soon dissipated and may they stand confessed the only principles upon which freedom and equality can be secured to all mankind. When this day arrives the shackles of ignorance will be thrown off, the time-server will sink into the contempt and insignificance which he deserves, the minion of power will be scratched from the list of human beings and the patriot will walk forth in his true dignity which will consists in his having faithfully served his "God and his Country. with nothing to molest or make him afraid.

—oOo—

We give our readers, to day, such additional election returns, as have come to hand: For Congress, the following gentlemen have been elected without opposition: In the Burke district, Samuel P. Carson: In the Salisbury district, A. Rencher; In the Caswell district, A. H. Shepherd; In the Wilkes district, Lewis Williams; In the Wake district Daml. L. Barringer; In the Granville district, Robert Potter; In the Halifax district, Hon. Jno. Branch; In the Wilmington district, Gen. McCay. In the following districts, the election of the old members was opposed: In the Lincoln district Henry W. Conner was opposed by Bartlett Shipp but was elected by a majority of 800 votes; In the Fayetteville district, Mr. Daberry has been elected by a majority of two or three hundred votes over his opponent Mr. Bethune; In the Edgecomb district Mr. Hall has been elected over his opponent Mr. Floyd; In the Craven district Mr. Sheppard was opposed by Mr. Wheeler.—we have not seen complete returns from this district. For the State Legislature the following are the additional returns:

Davidson.—S. Charles Hoover; C. John Hogan, Esq. and John M. Thomas.

Anson.—For Congress, Doherty 938, Bethune 291: S. Clement Marshall: C. Wm. A. Morris and Alexander Little.

Lincoln.—S. Daniel Hoke; C. Miles W. Abernathy and Henry Cansler. *State of the Poll.* Hoke 666, Mooney 263: Abernathy 1234, Cansler 1401. Peregrine Roberts 1292. For Congress, Conner 1676, Shipp 966.

Cabarrus.—S. Christopher Melchor, no opposition: C. Danl. M. Barringer and Wm. McLean. *State of the Poll.* Barringer 707, McLean 370. George Ure 313, J. W. Hamilton 278. For Congress, Shipp 593, Conner 352.

Mecklenburg.—S. Henry Massie, no opp. C. John Hart and James Doherty. *State of the Poll.* Massey 526, Davidson 280, Maxwell 227: Dougherty 1096, Hart 798, Kirkpatrick 744, Parks 160. For Congress, Conner 1038 Shipp 643.

Iredell.—S. Pinckney Caldwell no opposition. C. George F. Davidson and Joseph M. Bogle.

Surry.—S. Wm. P. Dobson, without opposition. C. Danl. W. Courts and Col. Jno. Zacharai.

Stokes.—S. John Hill, no opposition. C. Col. Leonard Zigler and Col. Joseph Winston.

Buncombe.—S. J. Allen: C. J. Brevard and J. Clayton. *State of the Poll.* J. Allen 688, P. Hightower 417: J. Brevard 900 J. Clayton 836, H. Rabun 664, A. Jarvis 611.

Montgomery.—S. Reuben Kendall. C. C. W. McCain and P. Mask. *State of the Poll* Kendall 409, Lilly 321: McCain 797, Mask 721, Thomas Dunn 186.

Wake.—S. Henry Seawell: C. W. H. Haywood and ——— Rae.

Warren.—S. J. H Hawkins: C. Jno. Bragg and Thomas H. Judkins.

Currituck.—S. Jonathan Lindsay: C. Jno. B. Jones and Benjamin Simmons.

Nash.—S. Willis Bodie: C. Gen. J. Arrington and G. Boddie.

Franklin.—S. Wm. P. Williams: C. Gideon Glenn and James Davis.

Beaufort.—S. Wm. S. Rowland, C. R. H. Bonner and David C. Freeman.

An argument has been urged and re-urged in favor of the present high rate of duties at which we are surprised;—It is really the greatest presumption upon the weakness of human nature which we have ever seen. The advocates of the Tariff still maintain notwithstanding the many able refutations of the anomaly that two and three make one, or that the low price of goods is owing to the high rate of duties which are laid upon them. They find goods cheaper than they once were and they ascribe it to the Tariff. How then are the low prices of those articles upon which no duties are laid accounted for? This they cannot answer. But we will answer it for them: The low prices of goods, both upon which there is a duty and upon which there is none, are owing to *competition and an increased facility* in their production. This they attempt to ridicule. They know its force and they are afraid that it will be found out. It is needless to take an example of the effect of competition upon the prices of goods; this every one has seen. It will be too tedious to mention many examples of the effect of an *increased facility in the production* of an article in reducing its price. We will take the example of common domestic shirting: Before the invention of the complicated labor saving machinery we

...ticle the production of this article it cost four times as much as it now does. The process, *then*, to go back to the raw material, was to separate the seed from the cotton, to card it *by hand*, to spin it *by hand* and to weave it *by hand*. But since science has been brought in to lend its potent assistencein the production, we *now* have *machines* for *ginning*, machines *for carding*, machines for spinning and machines *for weaving*; and in consequence we can get the article for one fourth of what we could when every thing was done by hand. We think it needless to multiply examples. It would be an insult to the understanding of the reader to go any farther to prove that *competition and an increased facility* in production have reduced the prices of almost every article and that they would have been still lower had it not have been for the Tariff which adds a certain per ct. on the cost of almost every manufactured article; which per cent is given to the Northern Manufacturer as a premium, to enable him to sell as cheap, as the foreign manufacturer. But even then he cannot do it—We can even pay the duty which is laid upon foreign goods and then get them better and cheaper than those which are manufactured at the North.

An Extract from a letter received in this place, from Valparaiso, South America, dated 20th April.

"The elections for electors have taken place and have resulted in favor of the present rulers of Chili—Genl. *Joaquin Prieto*, the commander in Chief of the army, will be president: and *Diego Portales*, the present Premier, Vice-President: Freire however will most probably remain with the army, and Portales remain as the ruler, in fact, of the nation: he would in truth, be the master spirit in any event.

About two weeks since a party of men, who had been banished to Peru from Chili, landed a little south of Conception, as emissaries of Genl. Freyere (former President of Chili, but who was banished to Peru) for the purpose of raising an insurrection; but nobody joined them,—they were taken, some shot, others imprisoned and the balance will, doubtless, be banished again. I think Chili will remain settled under the present rulers."

☞ We have received partial accounts of the elections for members of Congress in Virginia and Kentucky. We will not give any part of them until we get complete returns.

☞ We have received but little foreign news since our last and none of importance.

☞ Gov. Cass has entered upon the duties of his office. Maj. Eaton, it is rumored will succeed him as Gov. of Michigan.

☞ The sun had a very singular appearance on Saturday the 14th inst. It appeared blue, had no more effect upon the eye than the moon would, and near the centre a black spot was visible to the naked eye. Some of the old inhabitants of this place say that it presented the same appearance in 1816 or 17.

☞ Our advertising subscribers must excuse us for the neglect of their favors this week. The omission was unavoidable, and as it is the only time we have ever neglected them we hope they will readily forgive us for this time.

☞ A case of usury was tried last week, in this county, which resulted in the forfeiture, on the part of the Usurer, of double the amount of money loaned.

☞ Since Mr. Calhoun's publication has been made we have received several papers from different parts of the U. States which speak of his piece as an able, a true and patriotic exposition of the principles of our Government.

☞ Two communications have been received from Stokes, but too late for this paper. They shall not be "lost" but shall be attended to next week.

HEALTH OF CHERAW.

☞ Exaggerated statements have gone forth to the world concerning the health of the inhabitants of this place. It is a matter of astonishment no less than of regret to find that there are those credulous enough to be imposed upon by fictions equally improbable and insulting to the understanding. Our Town has at no time enjoyed a more perfect immunity from disease of any kind at this season of the year. There has been but one case among our adult population which terminated fatally; and this cannot with justice be referred either to the climate or season. Such reports are calculated to impair the commercial prosperity of a Town, injuriously affecting the interests of the Planter no less than the Merchant, and we therefore deem it our duty to give them an unqualified contradiction. *Republican.*

COMMUNICATION.

ON MR.

Mr. Calhoun

Mr. Calhoun

length ytsbled to

come out with

the subject of

ornament and the

His publicistic

paper that has recently appeared before the American public on the

state-rights, presents

serious attention;—To the

of '98, it will be peculiarly acceptable to the "democratic republicans" in Gotham—they will hail it with delight.

But from another quarter, Mr. Calhoun may look out for, brushes. Northern high-going tariffites:—the "latitudinarians,"—who wish to see all power taken from the States and concentrated in the Federal Government,—these, will give no quarter to Mr. Calhoun, or to his address, they will denounce him now, as their predecessors did Mr. Jefferson in 1798 and —9.

Indeed, already we see this spirit of perversion and defamation at work. The editor of a little paper issued at Greenville, without having ever read the publication in question, has already come out, and in advance pronounced it nullification, and Mr. Calhoun, a "nullifier." This is pitiful—but it is what must be looked for.

If John C. Calhoun, for the doctrines contained in his address, is a nullifier, "then was Thomas Jefferson a "nullifier;" for according to this rule, every line of the Kentucky Resolutions, drafted by his hand,—all the sentiments and reasoning in the proposed protest of the Virginia Legislature; his letter to W. B. Giles, and many other publications, all, all teem with nullification.

If John C. Calhoun be a "nullifier" for the doctrines in question, then is Mr. Madison a nullifier for the sentiments and reasoning so ably set forth in the famous Virginia Resolutions of '98—. Never were two documents more alike in reasoning and sentiment than these two.

If John C. Calhoun be a nullifier for his views on the relation between the General Government, and the States, then was Judge McKean of Pennsylvania and all the Judges of the Supreme Court of that democratic State, the worst of nullifiers.—for in their memorable decision in the case of Cobbet, they have laid down the same principles, and supported them with the same train of reasoning.

If John C. Calhoun be a nullifier, for the reasons stated, then are all the Republican members of the last Legislature of North Carolina, rank arrant nullifiers, for having voted in favour of the state-right Resolutions introduced by Mr. Bynum, and passed through the Commons by an overwhelming majority;—then, are all the democratic members of the New-Hampshire Legislature nullifiers, for adopting certain Resolutions, asserting and maintaining the state-right doctrines of the memorable period of 1798: then, indeed, is every "Jeffersonian Republican" in the land, a nullifier, and according to the friends of Federal encroachments, merit the halter and the gibbet.

In conclusion I will say that I am one of those who heretofore have had my doubts as to Mr. Calhoun's orthodoxy on certain leading tenets in the Republican creed; but these doubts are now removed. His principles are such as will meet the approbation of every democratic Republican, from Maine to Missouri.

A DEMOCRATIC REPUBLICAN.

FROM THE U. S. TELEGRAPH.

Gov. Branch.—The following letter from Gov. Branch to the Editor, confirms what has before been said by Mr. Berrien and Mr. Ingham.

Enfield Aug. 1st 1830

Sir: I have observed in the Globe, which came to hand by the last mail, the following paragraph in Mr. Blair's letter of the 21st of July to Judge Berrien: "When the statement which I made, predicated upon Col. Johnson's letter, was impeached in your second note, I made the application to the President which you seemed to think I now ought to make. He immediately put into my hands the original memorandum which he wrote, and which he read to Messrs. Branch, Ingham, and yourself, &c."

I cannot believe that Gen. Jackson has authorized any person to say that he ever read, or made known to me, the paper or memorandum mentioned. If he has, then we are at issue. No paper of the kind was ever read or made known to me, by Gen. Jackson, to the best of my knowledge and belief. I have as yet prepared no narative of the circumstances connected with the dismissal of Mr. Ingham, Judge Berrien, and myself; and, in truth, where is the necessity now for me to do so?

The President, in his letter to Mr. Ingham, Judge Berrien, and myself, says, that *"the want of harmony in the cabinet."* &c. was the cause of our dismissal; or, in other words, *for his reorganisation*; and Judge Berrien and Mr. Ingham, *I know*, have truly interpreted the meaning of this mystical expression—*want of harmony.*

I have too much respect for the intelligence of the American people to believe they will be at any loss to arrive at an accurate conclusion from the facts already placed in their possession.

If, however, it becomes necessary hereafter for me to appear before the public, I trust that I shall unhesitatingly do so. Respectfully yours, &c. JNO BRANCH.

FOR SALE.

A Negro woman who is a good house servant, and a child about 18 months old. Enquire of SAMUEL REEVES.

MISCELLANEOUS.

...the same glorious day, a ... celebration, by another large party of ... American citizens took place at ... in the ... where splendid dinner was prepared by Mr. Chastellux, its proprietor. Great enthusiasm prevailed, throughout, and the rejoicings of the day were closed with an elegant display of fireworks.

Capt. A. ... acted as President of the day, assisted by ... J. ... and Mr. A. Talvande as Vice Presidents. *ib.*

Beauties of Byron.—One of the lately received London Periodicals, informs us, that among the Literary remains of Lord Byron, is a satire which, for force of invective, point, humor, political enthusiasm and general effect, is far beyond his "English Bards." We are not informed as to its subject, but presume it to be like the "Age of Bronze," "Hints from Horace" and English Bards, general and occasional. *ib.*

Mr. Rush has come out with a second letter of length, on the subject of ... *ib.*

Washington Irving, Esq. Chargé des Affaires from the United States of ... received the honorary degree of Doctor in Civil Law at the Convocation at Oxford, England, on the 15th ult.

Appointment by the President.—Daniel S. Macauly, of Pennsylvania, to be Consul of the United States, for the city and kingdom of Tripoli, in the place of Charles D. Coxe, dec'd.

Mercury.

Judge M'Lean, of the Supreme Court, has arrived at Washington, on a visit to that part of his family residing there.

New Theory of Light.—We have read an article in Silliman's Journal of the Arts and Sciences, written by Dr. Columbus C. Conwell, which contains some new and curious disclosures on the subject of *light*.—The Newtonian, hypothesis on that matter, is in some respects quiteyed. The whole article is prepared with admirable neatness and perspicuity, and reflects credit on the young author.

Baltimore Messenger.

The first Mariner's Church in this country, was built in New-York, June 4, 1820; Charleston, June 4, 1824; Philadelphia, Oct. 24, 1824; London, Dec. 1825; Baltimore, Nov. 1826; Boston, (Methodist) Nov. 1828; Portland, Dec. 15, 1828; New Orleans, Dec. 1829; Boston, Jan. 1, 1830; Savannah, not built; New London, not built. *ib.*

Blushing Blue.—A French paper states that there is a young girl of 17 residing in the environs of Algiers, whose body to the waist, is quite blue, and when any thing is said to produce a blush, her face, instead of becoming red, assumes a still darker blue color. *Exchange.*

It is said that Mr. Van Buren will sail shortly for England in the frigate Potomac, but will take passage in one of the London or Liverpool packets.

The Supreme Court is expected to adjourn in about a fortnight. The arguments of Counsel have been closed and the Judges are now busily occupied in the preparation of their opinions.

Register.

The Washington Globe states that the Secretary of the Navy and the Commissioners of the Navy Board will leave Washington in a few day to inspect the Northern yards, and the Dry Dock at Charlestown, Massachusetts. *Com.*

FROM THE EXFORD EXAMINER.

ANTI-TARIFF CONVENTION.

We have received the following letter, and beg the attention of our readers to its contents:

"NASHVILLE, N. C. July 30.

"SIR—Allow me to ask the favor of you, through the medium of your paper to call the attention of the citizens of this Congressional District to the subject of the Anti-Tariff Convention, proposed to be held in Philadelphia on the 30th September next.

"A meeting of the citizens of this county (Nash) will be held on Tuesday the 9th August with a view to the appointment of a Delegate to meet others of the District—and it is proposed that the meeting be held at Shocco Springs, on the 25th August. H. B.

THE LATE JAMES MONROE.

In a public address at Charleston, after enumerating the various public services of this deceased patriot, Gen. R. Y. HAYNE said:

"The task must be left to his biographer, the historian of his country, to do justice to his services in these various trusts. Mine shall be, the humble office of paying the tribute of a just rerpect for *his virtues*. I knew him well—I may say, I knew him *intimately*—and enjoyed no small portion of his friendship and confidence. I found him, at the commencement of my public life, seated in the Presidential Chair, basking in the sunshine of popular favor, surrounded by multitudes anxious to do him honor. I saw him descend from his high station, with a constitution broken, and a fortune dissipated in the public service. I have seen him in his retirement, deserted by those his former bounty fed, and finding in the bosom of an amiable family, a consolation for the injustice and ingratitude of the world. I have seen him driven from that retirement, to become a suppliant at the bar of Congress for the satisfaction of *just claims*, necessary to enable him to preserve *a home*; and if my heart has been pained at the spectacle, I trust I did not suffer it to pass without draw-

...ing from it the instructive lesson, that it is ... nor power which can secure ... happiness in this life—... that a ... consciousness of a life well spent, is the only possession which ... can neither give nor take away." ... retirement of an earthly ... was the ... in the latest hour of his existence. He felt that in every situation in which he had been placed he had done his duty, and he knew that posterity would do him justice. I will only add, that though Mr. Monroe, like other men, did undoubtedly fall into some errors in the administration of our public affairs, yet no man ever brought to the service of his country more singleness of heart, a purer spirit of patriotism, or a more generous zeal in the performance of public duties; and to crown all notwithstanding the temptations to which his ... career so constantly exposed him, he preserved to the end the primitive simplicity of his character, and died as he lived, that noblest work of God, "*an honest man.*"

Commercial.

MARRIED, in Newbern, by the Rev. Mr. Baker, Capt. Farnifold Green, of the U. S. Navy, to Miss Laura Pearson, daughter of the late Col. Richmond Pearson.

DIED.

In this town, on Tuesday last Joseph, infant son of John H. De Carteret. Also, in this place, on Monday the 15th inst., an infant child of Alfred Moore.

NO TARIFF OF PRICES.

FREE TRADE.

EARTHENWARE, LOOKING GLASSES, &c.

THOMAS J. BARROW & CO.

Importers 88, Water St. New-York.

OFFER for sale, the largest and most complete assortment of *Earthenware, Glass, China, plain and gilt Looking Glasses, &c.* which the New York market will afford, comprising every style and variety of the newest patterns. They return their most cordial thanks to their friends in the Southern States, for their support in the persecution now carrying on against them, for their refusal to join a combination in fixing one tariff of prices for Crockery, throughout the trade. It is mainly attributable to the influence of our Southern friends that we have been enabled to survive thus far, in this most trying situation; exposed to the combined influence and capital of the whole trade, endeavoring to effect our ruin and expel us from business. We pledge ourselves to our friends to give them every satisfaction in our power as regards the quality of Goods, the excellence of our packers and the lowness of our prices, for cash or city exceptances; and in return, solicit from them a continuance of their patronage, and particularly request those who have influence with their friends to exert it in our behalf, as we trust the cause is one they are all interested in, and much benefit will accrue to us from their friendly acts in this way. It has been said, the combination was broken up. As it regards prices this is true, and all, we think, friends or foes will allow that we have effected this change; but we do assure our friends, that at no period since we commenced our system of unshackled prices were we in greater want of assistance than at the present moment. This combination of men are leaving no means untried for effecting our ruin, that they may revive the old system; our credit and character are assailed in every shape, our importations waylaid and stopped in every instance where threats are sufficient to intimidate the manufacturers from supplying us; in fine, no vexation or trouble which the malice of men could devise has been neglected in this struggle to subdue us. We once more call upon every friend of free trade to come up to our support, and pledge ourselves to give them no cause to repent of their liberality.

T. J. BARROW & CO.

88 Water street, above Old Slip.

August 8, 1831. 3 87

STRAYS ENTERED.

State of N. Carolina,
Iredell county.

BY David Alexander one claybank 2 years old, black mane and tail and the left hind foot white to the Pastor Joint and the other not so far. Appraised by Frederick Mock and Warren Pendergrass, at $20.

By Milton Campbell one bay mare 7 or 8 years old, very small, crooked hind legs, and large knots on the inside of them just below the knees. Appraised by Nicholas Norton and Joseph Davidson, at $10. J. OLIPHANT, *C. R.*

August 1st, 1831. 3t86p

Notice.

WILL be sold, at the Court House in Salisbury on Tuesday of October superior court one Sulkey and Harness, and a variety of law and miscellaneous books belonging to the estate of Thomas J. Oakes, Esq. dec'd. Terms made known on day of sale.

WM. W. LONG, *Adm'r.*

16th *August*, 1831. 3 87

Notice.

WE the undersigned having qualified at August session of Surry county court as administrators of the estate of Elijah Thompson, dec'd. request all persons indebted to said estate to make payment, and all persons having claims against the same to present them for payment within the time prescribed by law, or this notice will be plead in bar of their recovery.

JOSEPH THOMPSON, } *Adm'rs.*
POLLY THOMPSON, }

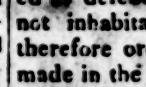
August 19th, 1831. 3:87

Notice.

ALL persons having legal claims against the estate of Thos. Oakes, Pleasant Oakes and Thomas J. Oakes are requested to present them for payment, those indebted are informed that unless they make speedy payments their accounts and notes will be placed in officers hands without respect to persons. WM. W. LONG, *Adm'r.*

16th *August*, 1831. 3:87

Notice.



WILL be offered for sale on Tuesday the 20th of September next, at the late residence of Norman Owings, dec'd., the following property viz: Horses, Cattle, Hogs, sheep, one still tubs, Waggon and Gears, Farming Utensils, Household and Kitchen Furniture, and various other articles too tedious to mention, Terms of Sale made known on the day of sale by me.

W. MONROE { Adm'r. with the will anex'd.

August 19th, 1831. 4:88

State of North Carolina,

MONTGOMERY COUNTY.

In the Court of Equity Spring Term 1831.

JAMES MOSS, John Moss for himself and as guardian of Archibald Moss an infant under the age of twentyone years, Elizabeth Moss, widow of Robert Moss, dec. for herself and as guardian of Franklin Moss, Sarah Anne Moss, Robert Moss, Whitson Moss, Eliza Moss and Jane Moss infants under the age of twenty one years, Bushrod Lilly and his wife Hannah *vs* Willis Williams and his wife Mary. Petition for the Sale of lands.

It appearing to the satisfaction of the court that Willis Williams and his wife Mary Williams tenants in common in right of the said Mary Williams of one share of the land prayed to be sold in the petition, and mentioned as defendants in the petition are not inhabitants of this State. It is therefore ordered that publication be made in the Western Carolinian printed at Salisbury for six weeks requiring said Willis Williams and his wife Mary to appear at the court house in Lawrenceville on the next Term of our court, on the first Monday in September next and answer or plead to said petition otherwise the same will be taken pro confesso as to them and decree entered accordingly. 6t86

J. L. GAINES *c. m. c.*

Thomsonian System.

DR. KIRKPATRICK would respectfully inform the citizens of Rowan and adjoining counties that he has located himself at the house of Mr. Henry Rosemon, ten miles south east of Salisbury, for the purpose of practicing medicine, under the above system. He may, at all times, be found at his residence, except when professionally engaged. He is aware of the prejudices of some people against this system, but he is also confident that if they will give it a fair trial in any disease either acute or chronic that all prejudice will be removed. His charges will be moderate to suit the pressure of the times. 3:86p

August 13, 1831.

Dr. N. E. McClelland

RESPETFULLY informs the citizens of Wilksboro' and the adjacent country, that he has located himself in Wilksboro, for the purpose of practising the various branches of his profession, viz: Pactice of

Medicine, Surgery, and Obstetricks

He may be found at his residence at all times, except when on professional business; and he hopes by assiduous attention to his profession to merit a share of the public patronage. 76tf

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Female Seminary.

SALISBURY, N. C.

THE exercises of this Institution will commence on the first day of October. The course of instruction will include Spelling, Reading, Writing, Arithmetic, English Grammer, Geography with the use of the Globes, Astronomy, Natural Philosophy, Chemistry, History, Rhetoric, Logic and moral Philosophy, Needlework, Drawing, Painting, and music. The price of tuition per session (five months) ... $10, 50 Drawing, and Painting $10, ... 50 dollars paid in advance.

Principal

83tf BENJAMIN GRIFFALL.

[Continued from 1st Page.]

fail, our splendid anticipation of the future will prove but an empty dream. Stripped of all its covering, and the naked question is, whether ours is a federal or a consolidated government; a constitutional or absolute one; a government resting ultimately on the solid basis of the sovereignty of the states, or on the unrestrained will of a majority; a form of government, as in all other unlimited ones, in which injustice and violence, and force must finally prevail. Let it never be forgotten that where the majority rules the minority is the subject; and that if we should absurdly attribute to the former the exclusive right of construing the constitution, there would be in fact between the sovereign and subject, under such a government, no constitution, or at least nothing deserving the name or serving the legitimate object of so sacred an instrument.

How the States are to exercise this high power of interposition which constitutes so essential a portion of their reserved rights that it cannot be delegated without an entire surrender of their sovereignty, and converting our system from a federal into a consolidated government is a question, that the states only are competent to determine. The arguments which prove that they possess the power, equally prove, that they are in the language of Jefferson "the rightful judges of the mode and measure of redress" But the spirit of forbearance, as well as the nature of the right itself, forbids a recourse to it, except in cases of dangerous infractions of the Constitution; and then only in the last resort, when all reasonable hope of relief, from the ordinary action of the government, has failed; when if the right to interpose did not exist, the alternative would be submisson and oppression on one side, or resistance by force on the other That system should afford, in such extreme cases, an intermediate point between these dire alternatives, by which the government may be brought to a pause, and thereby an interval obtained to compromise differences, or, if impracticable, be compelled to submit the question to a constitutional adjustment, through an appeal to the states themselves, is an evidence of its high wisdom; an element not, as is supposed by some, of weakness, but of strength; not of anarchy or revolution, but of peace and safety. Its general recognition would of itself in a great measure, if not altogether, supercede the necessity of its exercise, by impressing on the movements of the government, that moderation and justice so essential to harmony and peace, in a country of such vast extent, and diversity of interests as ours; and would, if controversy should come, turn the resentment of the agrieved, from the system to those who had abused its powers, (a point all important,) and cause them to seek redress, not in revolution or overthrow, but in reformation. It is in fact, properly understood, a substitute where the alternative would be force, tending to prevent, and if that fails, to correct peaceably, the aberrations to which all political systems are liable and which, if permitted to accumulate, without correction, must finally end in a general catastrophe.

I have now said what I intended in reference to the abstract question of the relation of the states to the general government, and would here conclude, did I not believe that a more general statement on an abstract question without concluding that which may have caused its agitation would be considered by many imperfect, and unsatisfactory. Feeling that such would be justly the case, I am compelled reluctantly, to touch on the Tariff, so far at least, as may be necessary to illustrate the opinions which I have already advanced. Anxious, however, to intrude as little as possible, on the public attention, I will be as brief as possible; and with that view, will, as far as may be consistent with my object, avoid all debateable topics.

Whatever diversity of opinion may exist, in relation to the principle, or the effect on the productive industry of the country, of the present, or any other Tariff of protection, there are certain political consequences flowing from the present which none can doubt, and all must deplore. It would be in vain to attempt to conceal, that it has divided the country into two great geographical divisions, and arrayed them against each other, in opinion at least, if not interests also, on some of the most vital of political subjects; on its finance, its commerce, and its industry; subjects calculated, above all others, in time of peace, to produce excitement, and in relation to which, the Tariff has placed the sections in question in deep and dangerous conflict. If there be any point on which the (I was going to say Southern section, but to avoid, as far as possible, the painful feilings such discussions are calculated to excite, I shall say) weaker of the two sections is unanimous, it is that its prosperity depends, in a great measure, on free trade, light taxes, economical, and, as far as possible, equal disbursements of the public revenue, and an unshackled industry, leaving them to pursue whatever may appear most advantageous to their interests. From the Potomac to the Mississippi, they are few indeed, however divided on other points, who would not, if dependent on their volition, and if they regarded the interests of their particular section only, remove from commerce and industry every shackle, reduce the revenue to the lowest point that the wants of the government fairly required and restrict the appropriations to the most moderate scale, consistent with the peace, the security, and the engagements of the public; and who do not believe that the opposite system is calculated to throw on them an unequal burthen, to repress their prosperity, and to encroach on their enjoyment.

On all these deeply important measures, the opposite opinion prevails, if not with equal unanimity, with at least a greatly perponderating majority, in the other and stronger section; so much so, that no two distinct nations ever entertained more opposite views of policy than these two sections do, on all the important points to which I have referred. Nor is it less certain that this unhappy conflict, flowing directly from the Tariff has extended itself to the halls of legislation, and has converted the deliberations of Congress into an annual struggle between the two sections; the stronger to maintain and increase the superiority it has already acquired, and the other to throw off, or diminish its burdens; a struggle in which all the noble and generous feelings of patriotism are gradually subsiding into sectional and selfish attachments.* Nor has the effect of this dangerous conflict ended here. It has not only divided the two sections on the important point already stated, but on the deeper and more dangerous questions, the constitutionality of a protective Tariff and the general principles and theory of the Constitution itself; the stronger, in order to maintain their superiority, giving a construction to the instrument, which the other believes would convert the General Government into a consolidated, irresponsible government, with the total destruction of liberty; and the weaker seeing no hope of relief with such assumption of powers, turning its eye to the reserved sovereignty of the states, as the only refuge from oppression. I shall not extend these remarks as I might, by showing that while the effect of the system of protection was rapidly alienating one section, it was not less rapidly, by its necessary operation, distracting and corrupting the other; and between the two, subjecting the administration to violent and sudden changes, totally inconsistent with all stability and wisdom in the management of the affairs of the nation, of which we already see fearful symptoms. Nor do I deem it necessary to enquire whether this unhappy conflict grows out of true, or mistaken views of interest on either, or both sides. Regarded in either light, it ought to admonish us of the extreme danger to which our system is exposed, and the great moderation and wisdom necessary to preserve it. If it comes from mistaken views, if the interests of the two sections as affected by the Tariff, be really the same, and the system instead of acting unequally, in reality diffuses equal blessings, and imposes equal burdens on every part, it ought to teach us how liable those, who are differently situated, and who view their interests under different aspects, are to come to different conclusions; even when their interests are strictly the same: and consequently, with what extreme caution any system of policy ought to be adopted, and with what a spirit of moderation pursued, in a country of such great extent and diversity as ours But if on the contrary, the conflict springs really, from contrariety of interests, if the burden be on one side, and the benefit on the other, then are we taught a lesson not less important how little regard we have for the interests of others, while in pursuit of our own, or at least, how apt we are to consider our own interest, the interest of all others; and of course how great the danger in a country of such acknowledged diversity of interests, of the oppression of the feebler by the stronger interest, and in consequence of it, of the most fatal sectional conflicts. But which ever may be the cause, the real, or supposed diversity of interest, it cannot be doubted, that the political consequences of the prohibitory system, be its effects in other respects, beneficial, or otherwise are really such, as I have stated; nor can it be doubted, that a conflict between the great sections on questions so vitally important, indicates a condition of the country so distempered and dangerous, as to demand the most serious and prompt attention. It is only, when we come to consider of the remedy, that, under the aspect, I am viewing the subject, there can be, among the informed and considerate, any diversity of opinion.

Those who, have not duly reflected on its dangerous and inveterate character suppose that the disease will cure itself that events ought to be left to take their own course; and that experience, in a short time, will prove, that the interest of the whole community, is the same, in reference to the Tariff, or, at least, whatever diversity there may now be, time will assimilate. Such has been their language from the beginning, but unfortunately the progress of events has been the reverse. The country is now more divided than in 1824, and then, more than in 1816. The majority may have increased, but the opposite sides are beyond dispute more determined and excited, than at any preceding period. Formerly the system was resisted mainly, as inexpedient; but now, as unconstitutional, unequal, unjust and oppressive. Then relief was sought exclusively from the General Government; but now, many driven to despair, are raising their eyes to the reserved sovereignty of the States, as the only refuge. If we turn from the past, and present, to the future, we shall find nothing to lessen, but much to aggravate the danger. The increasing embarrassment, and distress of the staple States, the growing conviction, from experience, that they are caused by the prohibitory system principally, and that, under its continued operation, their present pursuits must become profitless, and that their great and peculiar agricultural capital, cannot be diverted from its ancient and hereditary channels, without ruinous losses, all concur to increase, instead of dispelling the gloom, that hangs over the future. In fact, to those who will duly reflect on the subject, the hope, that the disease will cure itself, must appear perfectly illusory. The question is in reality one between the exporting and non exporting interests of the country. *Were there no exports, there would be no Tariff.* It would be perfectly useless. On the contrary, so long as there are States, which raise the great agricultural staples, with the view of obtaining their supplies, and which must depend, on the general market of the world, for their sales, the conflict must remain, if the system should continue, and the disease become more and more inveterate. Their interest, and that of those, who by high duties would confine the purchase of their supplies to the general market, must from the nature of things in reference to the Tariff, be in conflict. Till, then, we cease to raise the great staples cotton, rice and tobacco, for the general markets, and till we can find some other profitable investment for the immense amount of capital and labor now employed in their production, the present unhapy and dangerous conflict cannot terminate unless with the prohibitory system itself.

In the meantime, while idly waiting for its termination through its own action, the progress of events, in another quarter, is rapidly bringing the contest, to an immediate and decisive issue. We are fast approaching a period, very novel in the history of nations, and bearing directly and powerfully on the point under consideration, the final payment of a long standing funded debt; a period that cannot be sensibly retarded, or the natural consequences of it eluded, without proving disastrous to those, who may attempt either, if not to the country itself. When it arrives, the Government would find itself in possession of a surplus revenue of $10,000,000, or $12,000,000, if not previously disposed of, which presents the important question what previous disposition ought to be made; a question which must press urgently for decision, at the very next session of Congress. It cannot be delayed longer, without the most distracting and dangerous consequences.

The honest and obvious course is, to prevent the accumulation of the surplus in the treasury, by a timely and judicious reduction of the imposts; and thereby to leave the money in the pockets of those who made it, and from whom, it cannot be honestly, nor constitutionally taken, unless required by the fair and legitimate wants of the Government. If, neglecting a disposition so obvious and just, the Government should attempt to keep up the present high duties, when the money was no longer wanted, or to dispose of this immense surplus by enlarging the old or devising new schemes of appropriations, or, finding that to be impossible, it should adopt the most dangerous unconstitutional and absurd project ever devised by any government, of dividing the surplus among the States: (a project, which, if carried into execution, could not fail to create an antogonist interest between the States and General Government on all qestions of appropriations, which would certainly end in reducing the latter to a mere office of collection and distribution,) either of these modes would be considered by the section suffering under the present high duties as a fixed determination, to perpetuate forever what it considers the present unequal, unconstitutional, and oppressive burden; and from that moment, it would cease to look to the General Government for relief. This deeply interesting period, which must prove so disastrous, should a wrong direction be given, but so fortunate and glorious, should a right one, is just at hand. The work must commence at the next session, as I have stated, or be left undone, or at least, be badly done The succeeding session would be too short and too much agitated by the Presidential contest to afford the requisite leisure and calmness, and the one succeeding would find the country in the midst of the crisis when it would be too late to prevent an accumulation of the surplus; which I hazard nothing in saying, judging from the nature of men and government, if once permitted to accumulate, would create an interest strong enough to perpetuate itself, supported as it would be by others, so numerous and powerful; and thus would pass away a moment, never to be quietly recalled, so precious, if properly used, to lighten the public burden; to equalize the action of the Government; to restore harmony and peace; and to present to the world the illustrious example which could not fail to prove most favorable to the great cause of liberty every where, of a nation the freest, and, at the same time, the best and most cheaply governed; of the highest earthly blessing, at the least possible sacrifice.

As the diease will not, then, heal itself, we are brought to the question, can a remedy be applied, and, if so, what ought it be?

To answer in the negative, would be to assert, that our union has utterly failed; and that the opinion, so common before the adoption of our Constitution, that a free Government could not be practically extended over a large country, was correct—and that ours had been destroyed by giving it limits so great, as to comprehend, not only dissimilar, but irreconcilable interest. I am not prepared to admit a conclusion, that would cast so deep a shade on the future, and that would falsify all the glorious anticipations of our ancestors while it would so greatly lessen their high reputation for wisdom. Nothing but the clearest demonstration, founded on actual experience, will ever force me to a conclusion so abhorrent to all of my feelings. As strongly as I am impressed with the great dissimilarity, and, I must add, as truth compels me to do, contrariety of interests in our country, resulting from the causes already indicated, and which are so great, that they cannot be subjected to the unchecked will of a majority of the whole, without defeating the great end of government, and without which it is a curse, justice; yet I see in the union, as ordained by the constitution, the means, if wisely used, not only of reconciling all diversities, but also the means and the only effectual one, of securing to us justice, peace and security, at home and abroad, and with them, that national power and renown the love of which, Providence has implainted for wise purposes so deeply in the human heart; in all of which great objects every portion of our country widely extended and diversified as it has a common and identical interest. If we have the wisdom to place a proper relative estimate on these more elevated, and durable blessings, the present and every other conflict of like character, may be readily terminated; but if, reversing the the scale, each section should put a higher estimate on its immediate and peculiar gains; and acting in that spirit, should push favourite measures of mere policy, without regard to peace, harmony or justice, our sectional conflicts would then indeed, without some constitutional check, become interminable, except by the dissolution of the Union itself. That we have, in fact so reversed the estimate, is too certain to be doubted, and the result is our present distempered and dangerous condition. The cure must commence in the correction of the error, and not to admit we have erred, would be the worst possible symptom. It would prove the disease to be incurable through the regular and ordinary process of legislation; and would compel finally, a resort to extraordinary, but I still trust, not only constitutional, but safe remedies.

No one would more sincerely rejoice than myself, to see the remedy applied from the quarter, where it could be most easily and regularly done. It is the only way by which those who think that it is the only quarter from which it can constitutionally come, can possibly sustain their opinion. To omit the application by the General Government, would compel even them to admit the truth of the opposite opinion; or force them to abandon our political system in despair; while on the other hand, all their enlightened and patriotic opponents would rejoice at such evidence of moderation and wisdom on the part of supersede a resort to what they believe to be the higher powers of our political system, as indicating a sounder state of public sentiment than has ever heretofore existed in any country, and thus affording the highest possible assurance of the perpetuation of our glorious institutions to the latest generation. For as a people advance in knowledge, in the same degree they may dispense with mere artificial restrictions in the government: and we may imagine, (but dare not expect to see it,) a state of intelligence so universal and high, that all the guards of liberty may be dispensed with, except an enlightened public opinion acting through the right of suffrage; but it pre-supposes a state where every class and every section of the community are capable of estimating the effects of every measure, not only as it may affect itself, but every other class and section; and of fully realizing the sublime truth, that the highest and wisest policy consists in maintaining justice and promoting peace and harmony; and that compared to these, schemes of mere gain are but trash and dross. I fear experience has already proved that we are far removed from such a state, and that we must consequently rely on the old and clumsy; but approved mode of checking power in order to prevent, or correct abuses; but I do trust that though far from prefect, we are at least so much so as to be capable of remedying the present disorder in the ordinary way; and thus to prove that with us public opinion is so enlightened, and our political machine so perfect, as rarely to require for its preservation the intervention of the power that created it. How is this to be effected?

The application may be painful, but the remedy, I conceive, is certain and simple. There is but one effectual cure, an honest reduction of the duties to a fair system of revenue, adapted to the just and constitutional wants of the government. Nothing short of this will restore the country to peace harmony, and mutual affection. There is already a deep and growing conviction in a large section of the country, that the impost, even as a revenue system, is extremely unequal, and that it is mainly paid by those who furnish the means of paying the foreign exchange of the country, on which it is laid; and that the case is not varied, taking into the estimate the entire action of the system, whether the producer, or consumer pays in the first instance.

I do not propose to enter formally into the discussion of a point so complex and contested; but as it has necessarily a strong practical bearing on the subject under consideration, in all its relations, I cannot pass it without a few general and brief remarks.

If the producer in reality pays, none will doubt but the burden would mainly fall on the section it is supposed to do. The theory that the consumer pays in the first instance, renders the proposition more complex, and will require, in order to understand where the burden in reality ultimately falls, on that supposition, to consider the protective, or as its friends call it, the American System, under its threefold aspect, of taxation, of protection, and of distribution; or as performing at the same time the several functions of giving a revenue to the government, of affording protection to certain branches of domestic industry, and furnishing the means to Congress of distributing large sums through its appropriations; all of which are so blended in their effects, that it is impossible to understand its true operation, without taking the whole into the estimate.

Admitting then, as supposed, that he who consumes the article pays the the tax in the increased price, and that the burden falls wholly on the consumers, without affecting the producers as a class, (which, by the by, is far from being true, except in the single case, if there be such a one, where the producers have a monopoly of an article, so indispensable to life, that the quantity consumed cannot be affected by any increase of price,) and that considered in the light of a tax, merely, the impost duties fall equally on every section, in proportion to its population, still when combined with its other effects, the burden it imposes, as a tax, may be so transferred from one section to the other, as to take it from one, and place it wholly on the other. Let us apply the remark first to its operation as a system of protection

(Refer to the 2nd Page.)

* The system if continued, must end, not only in subjecting the industry and property of the weaker section to the control of the stronger, but in proscription and political disfranchisement. It must finally control elections and appointments to offices, as well as acts of legislation, to the great increase of the feelings of animosity, and of the fatal tendency to a complete alienation between the seconds.